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PCT

DT02 Rec'd PCT/PTO 1 2 MAR 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : BAGLIONI, et al.

Serial No. : 10/019,732

Filed : July 2, 1999

For : ENGINE FUELS CONSISTING OF AN
EMULSION COMPRISING MINERAL OR
NATURAL OILS, THEIR PREPARATION
AND USE IN INTERNAL COMBUSTION
ENGINE

Examining Atty : N/A

Art Unit : N/A

ATTY DOCKET: 205,437

March 5, 2004

REQUEST TO RESCIND NOTICE OF ABANDONMENT
ISSUED IN ERROR AND PETITION TO REVIVE

To the Commissioner for Patents:

A Notice of Abandonment dated February 27, 2004 was recently received by our office.

Our office file indicates that the response referenced in the Notice was timely filed via Express Mail and duly acknowledged by the Office on a dated-stamped postcard receipt.

"EXPRESS MAIL" ET 537 589 819 US

Date of Deposit: 5 March 2004

This correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Copies of the following are attached:

1. Photocopy of Notification of Missing Requirement under 35 U.S.C. 371 dated 4/2/2002.
2. Photocopy of executed Declaration and Power of Attorney.
3. Photocopy of return postcard and check No. 11967 for \$65 dated 4/18/2002.
4. Photocopy of original return postcard with U.S. PTO mail room stamp indicating date of receipt of April 18, 2002
5. Photocopy of canceled check no. 11967 deposited by U.S. PTO.

It appears that the Declaration and related documents were not associated with the file as a result of a clerical error by the Office.

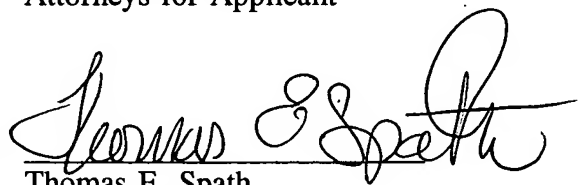
Applicants respectfully request that the Notice of Abandonment be rescinded and that the application be returned to the Examining Group for prompt issuance of an examination report.

No fee is believed to be due in connection with this Petition and Request. In the event that the Office determines that a fee is due, authorization is hereby provided to charge this firm's deposit account No. 01-0035.

Respectfully submitted,

ABELMAN, FRAYNE & SCHWAB
Attorneys for Applicant

By



Thomas E. Spath
150 East 42nd Street
New York, NY 10017-5612
(212) 949-9022

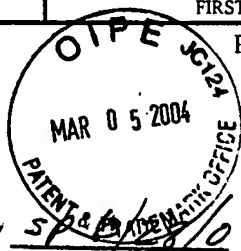


UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/019,732	FIRST NAMED APPLICANT Piero Baglioni	ATTY. DOCKET NO. 205,437
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Thomas E Spath
 Abelman Frayne & Schwab
 150 East 42nd Street
 New York, NY 10017

DUE BY SP 4/28/01DOCKETED ON 4/15/02

DOCKETED WITHOUT FILE _____

INTERNATIONAL APPLICATION NO.

PCT/EP99/04607

I.A. FILING DATE

PRIORITY DATE

07/02/1999

CONFIRMATION NO. 7375

371 FORMALITIES LETTER



OC00000007757158

Date Mailed: 04/02/2002

ATTORNEY TES

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination
- Small Entity Statement

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$65 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 305-3736

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/019,732	PCT/EP99/04607	205,437

FORM PCT/DO/EO/905 (371 Formalities Notice)

ABELMAN, FRAYNE & SCHWAB
COMMISSIONER ACCOUNT

150 EAST 42ND STREET
NEW YORK, NY 10017

11967

DATE

4/18/02

1-777/260 A

PAY
TO THE
ORDER OF

COMMISSIONER OF PATENTS AND TRADEMARKS

\$ 65.00

THE SUM 65 DOLS 00 CTS

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New York, NY 10017-6707

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Not Legal

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Hon. Commissioner of
Patents and Trademarks

Date Stamp as acknowledgement
of receipt of:

APPLICANT: BAGLIONI et al.

SERIAL NO. 10/091,732

FOR: "Engine Fuels..."

CONTROL NO. 205,437

DOC. TYPE: IDS+ Form 449
Copy of Notice to File
Missing Requirements
Executed Declaration and
Power of Attorney
Check for \$65 for filing fee
Return postcard

Initials: TES/jfb

Date Mailed: 18 April 2002

Label No.: ET 537 596 960 US

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RECEIVED

APR 30 2002

ABELMAN, FRAYNE & SCHWAB

Hon. Commissioner of
Patents and Trademarks

Date Stamp as acknowledgement
of receipt of:

APPLICANT: BAGLIONI et al.

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UNITED STATES

UTILITY PATENT APPLICATION
DECLARATION AND POWER OF ATTORNEY – ORIGINAL APPLICATION

ATTORNEY'S DOCKET NO.

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name:

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the invention entitled

(1) TITLE OF
INVENTION(1) ENGINE FUELS CONSISTING OF AN EMULSION COMPRISING MINERAL AND/OR NATURAL OILS,
THEIR PREPARATION AND USE IN INTERNAL COMBUSTION ENGINE

the specification of which

(2) CHECK
APPROPRIATE
BOX(2) ☐ is attached hereto.☒ was filed on July 02, 1999 as Application No. PCT/EP99/04607and was amended on August 03, 2001 (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge my duty to disclose information of which I am aware which is material to the patentability of this application under 37 CFR 1.56(a): the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application; and as to applications for patents or inventor's certificate on the invention filed in any country foreign to the United States prior to this application by me or my legal representatives or assigns.

(3) CHECK
APPROPRIATE
BOX(3) ☐ no such applications have been filed, or☐ such application(s) have been filed as follows:(4) COMPLETE
DATA
INDICATED
IF
APPLICABLE

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED WITHIN 12 MONTHS PRIOR TO THIS APPLICATION				
Country	Application Number	Date of Filing (day, month, year)	Date of Issue (day, month, year)	Priority Claimed Under 35 USC 119
(4)				Yes No
				Yes No
				Yes No
ALL FOREIGN APPLICATIONS, IF ANY, FILED MORE THAN 12 MONTHS PRIOR TO THIS APPLICATION				
(4)				

I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112. I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

(5) COMPLETE
DATA INDICATED
IF APPLICABLE(5) _____
(Application Serial No.) (Filing date) (Status: patented, pending, abandoned)(5) _____
(Application Serial No.) (Filing date) (Status: patented, pending, abandoned)

Power of Attorney: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Jeffrey A. Schwab, Registration Number 24,490
 Thomas E. Spath, Registration Number 25,928
 Jay S. Cinamon, Registration Number 24,156

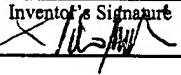
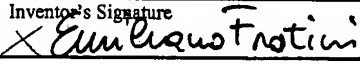
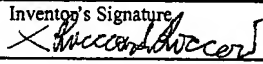
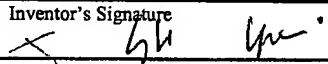
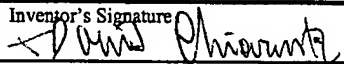
Howard R. Jaeger, Registration Number 31,376
 Anthony Coppola, Registration Number 41,493

Send correspondence to:
 ABELMAN, FRAYNE & SCHWAB
 150 East 42nd Street
 New York, New York 10017-5612

Direct telephone calls to:
 Jeffrey A. Schwab, Thomas E. Spath,
 Jay S. Cinamon, Howard R. Jaeger,
 or Anthony Coppola at (212) 949-9022

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(6) DETAILS
 REQUIRED
 FOR EACH
 INVENTOR

Full Name of Sole or First Inventor Piero BAGLIONI	Inventor's Signature 	Date Feb. 01, 2002
Residence Via di Mimmole 192/a - 50010 FIESOLE - ITALY		Citizenship ITALIAN
Post Office Address AS ABOVE		
Full Name of Second Joint Inventor, If Any Emiliano FRATINI	Inventor's Signature 	Date Feb. 01, 2002
Residence Via S. D'Acquisto 3 - 59100 PRATO - ITALY		Citizenship ITALIAN
Post Office Address AS ABOVE		
Full Name of Third Inventor, If Any Riccardo RICCERI	Inventor's Signature 	Date Feb. 01, 2002
Residence Via Baldovini 19 - 50126 FIRENZE - ITALY		Citizenship ITALIAN
Post Office Address AS ABOVE		
Full Name of Fourth Joint Inventor, If Any Giuseppe SARTI	Inventor's Signature 	Date Feb. 01, 2002
Residence Via D. M. Manni 45 - 50135 FIRENZE - ITALY		Citizenship ITALIAN
Post Office Address AS ABOVE		
Full Name of Fifth Joint Inventor, If Any David CHIARAMONTI	Inventor's Signature 	Date Feb. 01, 2002
Residence Via V. Emanuele 191 - 50134 FIRENZE - ITALY		Citizenship ITALIAN
Post Office Address AS ABOVE		
Full Name of Sixth Joint Inventor, If Any	Inventor's Signature	Date
Residence		Citizenship
Post Office Address		
Full Name of Seventh Joint Inventor, If Any	Inventor's Signature	Date
Residence		Citizenship
Post Office Address		